

REMARKS

The application has been amended to place the application in condition for allowance at the time of the next Official Action.

Claims 2-11 and 13-15 were previously pending in the application. New claim 17 is added. Therefore, claims 2-11, 13-15 and 17 are presented for consideration.

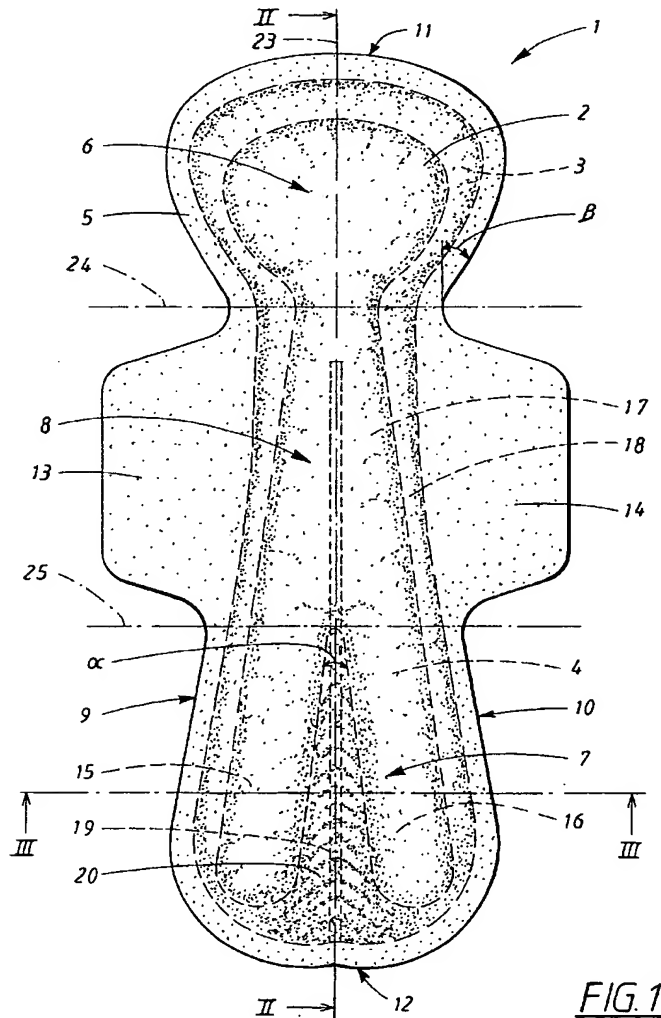
Claim 15 is amended along the lines of original claim 1 and consistent with page 4, lines 16-18 of the application as filed to recite that the rear portion of the absorbent body has a layer that is split into a first leg and a second leg.

As the present claim language was originally in the specification, the 35 USC, 112, 1<sup>st</sup> paragraph and 35 USC 112, 2<sup>nd</sup> paragraph rejections are believed to be addressed and should be withdrawn.

Claims 2-6, 11 and 13-15 were rejected as unpatentable over DREVIK WO99/25282. That rejection is respectfully traversed.

Independent claim 15 recites a rear portion of an absorbent body comprises a layer that is split into a substantially Y-shaped body having a first leg and a second leg. A gap is between the legs having an angle  $\alpha$  defined between the first leg and the second leg. Claim 15 also recites an elastic member is placed between the first leg and the second leg without overlapping the first and second legs.

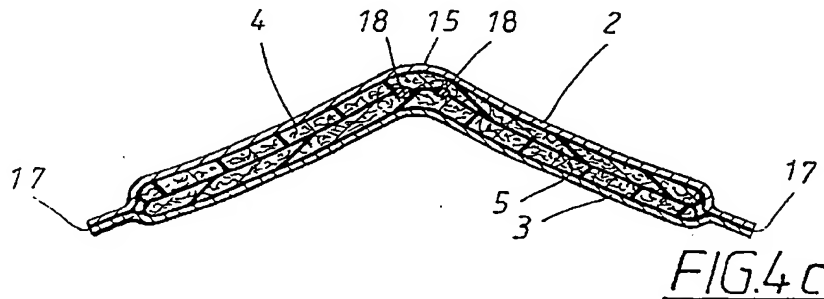
By way of example, Figure 1 of the present application, reproduced below, shows a rear portion 7 of an absorbent body comprises a layer 17 that is split into a substantially Y-shaped body having a first leg 15 and a second leg 16. A gap is between the legs 15, 16 having an angle  $\alpha$  defined between the first leg 15 and the second leg 16. An elastic member 19 is placed between the first leg 15 and second leg 16 without overlapping the first and second legs 15, 16.



DREVIK discloses neither a substantially Y-shaped body with a gap between legs (of the Y), nor an elastic member placed between the first leg and second leg without overlapping the first and second legs.

Rather, DREVIK discloses a fold line or crease so that an article can be folded along this fold line in a controlled manner with elastic on either side of the fold line.

By way of example, page 8, lines 17-21 of DREVIK disclose that controlled deformation is obtained along the fold lines so that the article is folded along the fold line. In the embodiment of Figure 4c, reproduced below, the fold line is the longitudinal centerline (approximately at 15).



Although page 8, lines 22-24 of DREVIK disclose that to obtain controlled deformation (deformation along a desired line), a fold line may be formed by compression or removal of absorption material, nevertheless, this removal is only along the fold line. That is, DREVIK controls deformation either by compressing the material along the fold line or removing the material along the

fold line. See for example, the fold line 30 of Figure 9 of DREVIK, reproduced below.

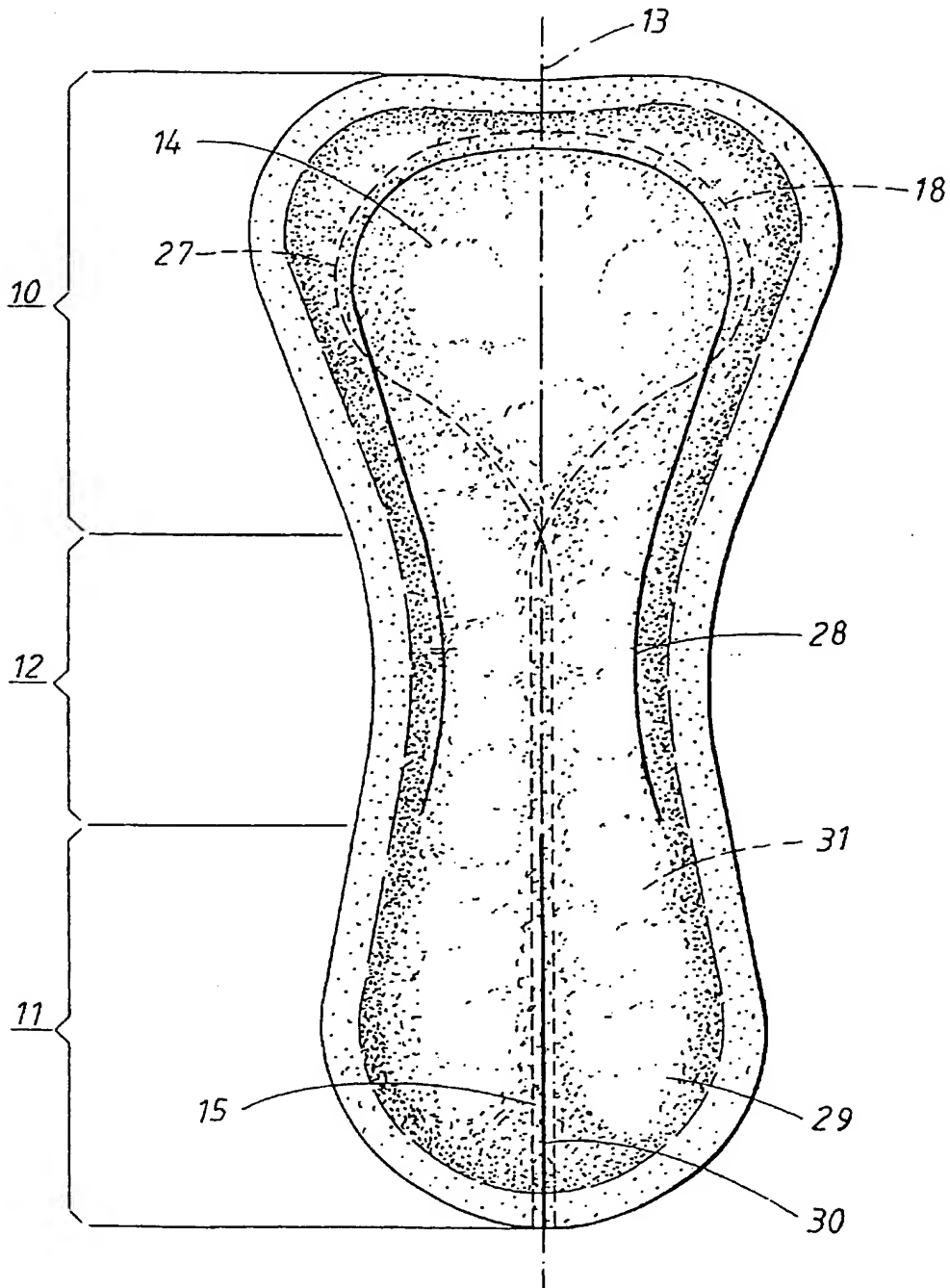


FIG. 9

DREVIK does not disclose a layer that is split into a substantially Y-shaped body having a first leg and a second leg and a gap between the legs having an angle  $\alpha$  defined between the first leg and the second leg.

Moreover, the elastic member of DREVIK does meet the limitations of the recited elastic member.

Page 8, lines 24-25 of DREVIK disclose that it is important to create a density in the area under the elastic that is different from the surrounding areas. Accordingly, only the area under the elastic 18 (see Figure 4c above) is compressed or removed. That is, the area along the fold line. See Figure 9, above, and page 17, lines 3-6 of DREVIK, which disclose that the fold line 30 is arranged along the elastic 18.

As only the area under the elastic 18 is compressed or removed (to create a different density), the surrounding areas, including the areas of the elastic, are not compressed or removed. Thus, although the removal of material will create a first and second leg (but not Y-shaped as set forth above), nevertheless, the elastic members are part of those legs and therefore, overlapping the legs. DREVIK does not disclose an elastic member placed between the first leg and second leg without overlapping the first and second legs as recited.

As the reference does not disclose that which is recited, the anticipation rejection is not viable.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 7-10 were rejected as unpatentable over DREVIK. That rejection is respectfully traversed.

Claims 7-10 depend from claim 15 and further define the invention and are believed patentable over DREVIK at least for depending from an allowable independent claim.

New claim 17 includes recitations along the lines of claim 15. The analysis above regarding claim 15 is equally applicable to claim 17. In addition, claim 17 recites that a layer is split into a substantially Y-shaped body having a first leg and a second leg with a gap between the first and second legs that increases from a proximal end to a distal end of said first and second legs. Support for claim 17 can be found in claim 15 and in Figure 1.

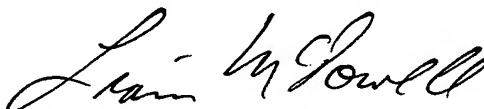
DREVIK does not disclose a layer that is split into a substantially Y-shaped body having a first leg and a second leg with a gap between the first and second legs that increases from a proximal end to a distal end of said first and second legs. Thus, claim 17 is believed to distinguish over DREVIK.

In view of the present amendment and the foregoing remarks, it is believed that the application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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